

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Counties Code is amended by changing Section  
5 5-1101 as follows:

6 (55 ILCS 5/5-1101) (from Ch. 34, par. 5-1101)

7 Sec. 5-1101. Additional fees to finance court system. A  
8 county board may enact by ordinance or resolution the following  
9 fees:

10 (a) A \$5 fee to be paid by the defendant on a judgment of  
11 guilty or a grant of supervision for violation of the Illinois  
12 Vehicle Code other than Sections 11-501 and 11-503 or  
13 violations of similar provisions contained in county or  
14 municipal ordinances committed in the county, and up to a \$30  
15 fee to be paid by the defendant on a judgment of guilty or a  
16 grant of supervision for violation of Sections 11-501 and  
17 11-503 of the Illinois Vehicle Code or a violation of a similar  
18 provision contained in county or municipal ordinances  
19 committed in the county.

20 (b) ~~A In the case of a county having a population of~~  
21 ~~1,000,000 or less, a \$5 fee to be collected in all civil cases~~  
22 ~~by the clerk of the circuit court.~~

23 (c) A fee to be paid by the defendant on a judgment of

1 guilty or a grant of supervision, as follows:

- 2 (1) for a felony, \$50;
- 3 (2) for a class A misdemeanor, \$25;
- 4 (3) for a class B or class C misdemeanor, \$15;
- 5 (4) for a petty offense, \$10;
- 6 (5) for a business offense, \$10.

7 (d) A \$100 fee for the second and subsequent violations of  
8 Section 11-501 of the Illinois Vehicle Code or violations of  
9 similar provisions contained in county or municipal ordinances  
10 committed in the county. The proceeds of this fee shall be  
11 placed in the county general fund and used to finance education  
12 programs related to driving under the influence of alcohol or  
13 drugs.

14 (d-5) A \$10 fee to be paid by the defendant on a judgment  
15 of guilty or a grant of supervision under Section 5-9-1 of the  
16 Unified Code of Corrections to be placed in the county general  
17 fund and used to finance the county mental health court, the  
18 county drug court, the Veterans and Servicemembers Court, or  
19 any or all of the above.

20 (e) In each county in which a teen court, peer court, peer  
21 jury, youth court, or other youth diversion program has been  
22 created, a county may adopt a mandatory fee of up to \$5 to be  
23 assessed as provided in this subsection. Assessments collected  
24 by the clerk of the circuit court pursuant to this subsection  
25 must be deposited into an account specifically for the  
26 operation and administration of a teen court, peer court, peer

1 jury, youth court, or other youth diversion program. The clerk  
2 of the circuit court shall collect the fees established in this  
3 subsection and must remit the fees to the teen court, peer  
4 court, peer jury, youth court, or other youth diversion program  
5 monthly, less 5%, which is to be retained as fee income to the  
6 office of the clerk of the circuit court. The fees are to be  
7 paid as follows:

8 (1) a fee of up to \$5 paid by the defendant on a  
9 judgment of guilty or grant of supervision for violation of  
10 the Illinois Vehicle Code or violations of similar  
11 provisions contained in county or municipal ordinances  
12 committed in the county;

13 (2) a fee of up to \$5 paid by the defendant on a  
14 judgment of guilty or grant of supervision under Section  
15 5-9-1 of the Unified Code of Corrections for a felony; for  
16 a Class A, Class B, or Class C misdemeanor; for a petty  
17 offense; and for a business offense.

18 (f) In each county in which a drug court has been created,  
19 the county may adopt a mandatory fee of up to \$5 to be assessed  
20 as provided in this subsection. Assessments collected by the  
21 clerk of the circuit court pursuant to this subsection must be  
22 deposited into an account specifically for the operation and  
23 administration of the drug court. The clerk of the circuit  
24 court shall collect the fees established in this subsection and  
25 must remit the fees to the drug court, less 5%, which is to be  
26 retained as fee income to the office of the clerk of the

1 circuit court. The fees are to be paid as follows:

2 (1) a fee of up to \$5 paid by the defendant on a  
3 judgment of guilty or grant of supervision for a violation  
4 of the Illinois Vehicle Code or a violation of a similar  
5 provision contained in a county or municipal ordinance  
6 committed in the county; or

7 (2) a fee of up to \$5 paid by the defendant on a  
8 judgment of guilty or a grant of supervision under Section  
9 5-9-1 of the Unified Code of Corrections for a felony; for  
10 a Class A, Class B, or Class C misdemeanor; for a petty  
11 offense; and for a business offense.

12 The clerk of the circuit court shall deposit the 5%  
13 retained under this subsection into the Circuit Court Clerk  
14 Operation and Administrative Fund to be used to defray the  
15 costs of collection and disbursement of the drug court fee.

16 (f-5) In each county in which a Children's Advocacy Center  
17 provides services, the county board may adopt a mandatory fee  
18 of between \$5 and \$30 to be paid by the defendant on a judgment  
19 of guilty or a grant of supervision under Section 5-9-1 of the  
20 Unified Code of Corrections for a felony; for a Class A, Class  
21 B, or Class C misdemeanor; for a petty offense; and for a  
22 business offense. Assessments shall be collected by the clerk  
23 of the circuit court and must be deposited into an account  
24 specifically for the operation and administration of the  
25 Children's Advocacy Center. The clerk of the circuit court  
26 shall collect the fees as provided in this subsection, and must

1 remit the fees to the Children's Advocacy Center.

2 (g) The proceeds of all fees enacted under this Section  
3 must, except as provided in subsections (d), (d-5), (e), and  
4 (f), be placed in the county general fund and used to finance  
5 the court system in the county, unless the fee is subject to  
6 disbursement by the circuit clerk as provided under Section  
7 27.5 of the Clerks of Courts Act.

8 (Source: P.A. 95-103, eff. 1-1-08; 95-331, eff. 8-21-07;  
9 96-328, eff. 8-11-09; 96-924, eff. 6-14-10.)